

CITY OF SALINA, KANSAS
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
December 18, 2006
4:00 p.m.

The City Commission convened at 1:30 p.m. in a Study Session for a City County Joint Quarterly Meeting. The Regular Meeting of the Board of Commissioners was called to order at 4:00 p.m. in Room 107, City-County Building. A roll call was taken followed by the Pledge of Allegiance and a moment of silence.

There were present:

Mayor Donnie D. Marrs, Chairman presiding
Commissioner Deborah P. Divine
Commissioner Alan E. Jilka
Commissioner R. Abner Perney
Commissioner John K. Vanier II

comprising a quorum of the Board, also present:

Jason A. Gage, City Manager
Greg Bengtson, City Attorney
Lieu Ann Elsey, City Clerk

Absent: None

CITIZEN FORUM

None.

AWARDS - PROCLAMATIONS

None.

PUBLIC HEARINGS AND ITEMS SCHEDULED FOR A CERTAIN TIME

None.

CONSENT AGENDA

- (6.1) Approve the minutes of December 11, 2006.
- (6.2) Resolution No. 06-6333 describing the corporate limits of the City of Salina.
- (6.3) Approve the purchase of shade structures for Bill Burke Ball Diamonds, from Industrial Shadeports, in the amount of \$14,794.70, Project #06-1571.

(6.4) Resolution No. 06-6339 approving the Salina/Saline County Solid Waste Management Committee's annual plan review for 2006.

(6.5) Award of contract for the Fiber Backbone from the Water Treatment Plant to the Bicentennial Center to Precision Electrical Contractors, in the amount of \$45,420.21.

Commissioner Perney requested that Item 6.5 be removed from the consent agenda.

06-7400 Moved by Commissioner Perney, seconded by Commissioner Jilka, to approve Items 6.1 through 6.4 of the consent agenda as presented. Aye: (5). Nay: (0). Motion carried.

Jack Rolfs, Computer Technology Director, responded to Commissioner Perney's questions regarding the current fiber optic system, number of circuits needed, and the cost of purchasing fiber through Cox Communications. Mr. Rolfs clarified that staff had contacted Cox Communication, explaining that Cox would only lease fiber and the cost would be over \$47,000.

06-7401 Moved by Commissioner Divine, seconded by Commissioner Vanier, to approve Item 6.5. Aye: (5). Nay: (0). Motion carried.

DEVELOPMENT BUSINESS

(7.1) Application #PDD06-1, filed by Monty Gillam, dba Prime Property, requesting a change in zoning district classification from R-1 (Single-Family Residential) district to PDD (R-2) (Multi-Family Residential) district to allow the former Shalimar Health Center to be converted from a nursing home to apartments for the elderly on property addressed as 2054 Lambertson Lane.

(7.1a) First reading Ordinance No. 06-10367

Dean Andrew, Director of Planning and Community Development, explained the amended request, current zoning, conformance with the Comprehensive Plan and the Planning Commission's recommendation and conditions of approval.

Mr. Andrew then responded to Commissioner Divine's question regarding parking.

06-7402 Moved by Commissioner Divine, seconded by Commissioner Perney, to pass Ordinance No. 06-10367 on first reading. Aye: (5). Nay: (0). Motion carried.

(7.2) Resolution No. 06-6340 showing support for the redevelopment of the former Shalimar Health Center into affordable independent living apartments for the elderly.

Dean Andrew, Director of Planning and Community Development, explained the request.

Mr. Andrew then responded to Commissioner Divine's question on whether an emergency would need to be declared for the previous ordinance.

06-7403 Moved by Commissioner Vanier, seconded by Commissioner Divine, to adopt Resolution

No. 06-6340. Aye: (5). Nay: (0). Motion carried.

ADMINISTRATION

(8.1) Second reading Ordinance No. 06-10364 granting AT&T a six month extension of the City's current telecommunications franchise.

Mayor Marrs noted that Ordinance No. 06-10364 was passed on first reading on December 11, 2006 and since that time no comments have been received.

06-7404 Moved by Commissioner Vanier, seconded by Commissioner Perney, to adopt Ordinance No. 06-10364 on second reading. A roll call vote was taken. Aye: (5) Divine, Jilka, Perney, Vanier, Marrs. Nay: (0). Motion carried.

(8.2) Second reading Ordinance No. 06-10365 amending Sec. 8-37 of the Salina Code by amending the International Residential Code regarding building permits.

Mayor Marrs noted that Ordinance No. 06-10365 was passed on first reading on December 11, 2006 and since that time no comments have been received.

06-7405 Moved by Commissioner Perney, seconded by Commissioner Vanier, to adopt Ordinance No. 06-10365 on second reading. A roll call vote was taken. Aye: (5) Divine, Jilka, Perney, Vanier, Marrs. Nay: (0). Motion carried.

(8.3) Resolution No. 06-6337 authorizing the extension of the existing waiver of building permit and inspection fees for projects located within the Special Redevelopment Area.

Judy Irvin, Neighborhood Services Coordinator, outlined the redevelopment area, the present fee waiver policy, and the fees to be waived.

06-7406 Moved by Commissioner Vanier, seconded by Commissioner Divine, to adopt Resolution No. 06-6337. Aye: (5). Nay: (0). Motion carried.

(8.4) Resolution No. 06-6344 authorizing an agreement with Saline County for the transportation of Municipal Court prisoners.

Jason Gage, City Manager, explained the agreement.

Mayor Marrs stated that this was a good example of the cooperation between the city and the county.

06-7407 Moved by Commissioner Jilka, seconded by Commissioner Perney, to adopt Resolution No. 06-6334. Aye: (5). Nay: (0). Motion carried.

(8.5) Proposed amendment to the 2006 Budget.

Rod Franz, Director of Finance and Administration, explained the amendment.

Mr. Franz responded to Commissioner Jilka's question on how many times the fund has gone over and the possible use of excess funds for Bicentennial Center improvements.

06-7408 Moved by Commissioner Divine, seconded by Commissioner Vanier, to approve the budget amendment to increase the distribution to the Chamber of Commerce from \$525,000 to \$549,467 and to the Bicentennial Center from \$350,000 to \$366,312. Aye: (5). Nay: (0). Motion carried.

(8.6) Resolution No. 06-6345 initiating the proceedings for Street and Intersection Improvements (Project No. 05-1547).

Rod Franz, Director of Finance and Administration, explained the proposed resolution and project funding.

06-7409 Moved by Commissioner Divine, seconded by Commissioner Vanier, to adopt Resolution No. 06-6345. Aye: (5). Nay: (0). Motion carried.

(8.7) Acceptance of a utility easement dedication in the River Trail Addition.

Dean Andrew, Director of Planning and Community Development, explained the location of the easement and the dedication.

06-7410 Moved by Commissioner Vanier, seconded by Commissioner Jilka, to accept the offered utility easement dedication across portions of two lots on the south side of Eaglecrest Avenue. Aye: (5). Nay: (0). Motion carried.

(8.8) Consider a request from Clarence and Connie Wilson for financial assistance from the City to construct a private water service line to their residence at 2404 N. 5th Street.

Dean Andrew, Director of Planning and Community Development, explained the request, the closest public water line, staff analysis, Housing Rehabilitation program, the financial assistance that could be offered, and the need of a license agreement for the use of right of way.

A discussion followed between Commissioner Jilka, Mayor Marrs, Mr. Andrew, and Director of Utilities Martha Tasker regarding the possibility of hooking up the residents located south of the Wilson's on the same line.

Additional discussions followed between Commissioner Divine, Ms. Tasker, and City Manager Jason Gage regarding the possibility of additional development in that area and the use of the license agreement.

Ms. Tasker responded to Commissioner Jilka's question regarding the cost of connecting both properties. Ms. Tasker then responded to Commissioner Perney's question regarding whether or not this would be a metered service. Ms. Tasker clarified that it would be.

Connie Wilson, 2404 N. Fifth Street, explained her current living situations, size of their

property and how they are continually losing land due to it caving into the river.

A discussion followed between Ms. Wilson and Mayor Marrs with the offered financial assistance, cost sharing, and preservation of the driveways.

06-7411 Moved by Commissioner Divine, seconded by Commissioner Jilka, to approve the request and direct staff to proceed with the design, final cost estimates and bid specifications for the project and prepare a license agreement for Commission consideration and to authorize funds from the 2006 Housing Rehabilitation program budget to be encumbered and carried over to 2007 for this project. Aye: (5). Nay: (0). Motion carried.

(8.9) Resolution No. 06-6341 authorizing an agreement with Clark, Mize, and Linville, Chartered for the purpose of providing municipal legal services.

Jason Gage, City Manager, explained the current agreement, the proposed agreement, and funding. Mr. Gage then responded to Commissioner Jilka's question regarding the funding for the legal services for the groundwater contamination project.

Mayor Marrs complimented Greg Bengtson, City Attorney, and his firm for the work they have done.

06-7412 Moved by Commissioner Jilka, seconded by Commissioner Perney, to adopt Resolution No. 06-6341. Aye: (5). Nay: (0). Motion carried.

(8.10) Request from USD 305 for school zone time changes.

Shawn O'Leary, Director of Public Works, explained the request, time changes, and cost of updating the school zone signs.

Mayor Marrs noted that this was Mr. O'Leary's last staff report and thanked him for his years of service.

06-7413 Moved by Commissioner Divine, seconded by Commissioner Perney, to approve the request for USD 305 for the changes to the existing 20 mph school zone times in Salina and that the costs for these changes be paid by USD 305 due to City budget restrictions and also due to the close proximity of this request to the previous change in 2003. Aye: (5). Nay: (0). Motion carried.

(8.11) Resolution No. 06-6342 adopting the *City of Salina Professional Services Selection Guidelines*.

Jason Gage, City Manager, summarized the proposed guidelines and conformance with the strategic plan.

Mayor Marrs commented on the Miscellaneous Provisions section and expressed his appreciations for staff's work on the item.

Commissioner Divine applauded staff efforts. Commissioner Divine suggested that

language be added to incorporate public input methods, how to involve the public in the selection process, availability of qualified staff, and what happens if the professional is selected and negotiations are not successful, and creating a standard completion form.

06-7414 Moved by Commissioner Divine, seconded by Commissioner Marrs, to adopt Resolution No. 06-6342 with suggested changes and for it to be brought back to the commission for final approval. Aye: (5). Nay: (0). Motion carried.

(8.12) Resolution No. 06-6343 adopting the *City of Salina Municipal Facilities Naming Guidelines*.

Jason Gage, City Manager, summarized the proposed guidelines.

A discussion followed between Commissioner Vanier, Commissioner Jilka, Mayor Marrs, Mr. Gage, and City Attorney Greg Bengtson regarding petition requirements. Commissioner Vanier suggest that 300 signatures of registered voters be required.

Mr. Gage then responded to Commissioner Divine's questions on how the related board is determined and what will be done if there are multiple boards involved.

Commissioner Perney asked if the guidelines had been reviewed by the Parks and Recreation Advisory Board. Mr. Gage clarified that the guidelines had not.

A discussion followed between Commissioner Vanier and Mr. Gage regarding validity of a petition.

A discussion followed between Commissioner Divine, Commissioner Jilka, Mayor Marrs, and Mr. Gage regarding the minimum amount of time that a facility could be considered for renaming.

Additional discussions followed between Commissioner Divine, Commissioner Jilka, and Mr. Gage regarding qualified municipal facilities.

Commissioner Divine stated her objections of the current naming of city facilities.

A discussion followed between the Commission and Mr. Gage regarding Step #7 of the guidelines. Commissioner Jilka noted that he would like the "Method of recognizing a facility name shall be approved by the City Commission prior to installation." and to remove the last sentence.

Mayor Marrs, Commissioner Vanier, and Commissioner Perney felt comfortable in allowing the City Commission final approval Step #7.

Additional discussions followed between Commissioner Jilka, Commissioner Divine, and Mr. Gage regarding signage.

Discussion followed between the Commission and Mr. Gage regarding the designation of current facilities. Commissioners Divine, Perney, and Vanier and Mayor Marrs would like to have the designation of all city facilities removed from the resolution.

06-7415 Moved by Commissioner Divine, seconded by Commissioner Perney, to postpone until January 8, 2007. Aye: (3). Nay: (2) Jilka, Vanier. Motion carried.

Mayor Marrs left the meeting.

Vice-Mayor Jilka assumed the chair.

(8.13) Resolution No. 06-6346 authorizing an increase in the City Manager's base salary and authorizing the Mayor to execute a first amendment to the City Manager Employment Agreement.

Greg Bengtson, City Attorney, explained the amendments to the agreement.

06-7416 Moved by Commissioner Vanier, seconded by Commissioner Divine, to adopt Resolution No. 06-6344. Aye: (4). Nay: (0). Motion carried.

OTHER BUSINESS

Commissioner Divine announced the 2006 Landscape Awards and recognized the youths in the audience.

Vice Mayor Jilka noted that the next City Commission meeting would be January 8, 2007 and wished everyone a Merry Christmas and Happy New Year.

Jason Gage, City Manager, introduced the new City Engineer, Karlton Place.

ADJOURNMENT

06-7416 Moved by Commissioner Vanier, seconded by Commissioner Divine, that the Regular Meeting of the Board of Commissioners be adjourned. Aye: (4). Nay: (0). Motion carried. The meeting adjourned at 5:40 p.m.

Donnie D. Marrs, Mayor

[SEAL]
ATTEST:

Lieu Ann Elsey, CMC, City Clerk